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Measures to eliminate international terrorism

Measures to eliminate international terrorism

Report of the Secretary-General

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 50/53 of 11 December 1995, entitled "Measures to eliminate international terrorism", in which the Assembly requested the Secretary-General to follow up closely the implementation of the Declaration on Measures to Eliminate International Terrorism (resolution 49/60 of 9 December 1994, annex) and to submit an annual report on the implementation of paragraph 10 of that Declaration, taking into account the modalities set out in his report to the Assembly at its fiftieth session (A/50/372 and Add. 1) and the views expressed by States in the debate of the Sixth Committee during that session.[1]

2. In paragraph 10 of the Declaration, the General Assembly requested the Secretary-General to assist in the implementation of the Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

> "(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;
>
> "(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;
>
> "(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;
>
> "(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism."

3. By a note dated 9 March 1999, the Secretary-General drew the attention of all States to the Declaration and requested them to submit information on its implementation under subparagraphs 10 (a) and (b) thereof by 30 June 1999. By a letter of the same date, relevant specialized agencies and other organizations were also invited to submit information or other relevant material on the implementation of the Declaration, pursuant to its subparagraphs 10 (a) and (d), by 30 June 1999.

4. As at 26 August 1999, replies had been received from Austria, Finland, India, Indonesia, Kuwait, Latvia, Mexico, the Netherlands, New Zealand, Oman, the Philippines, the Russian Federation, Singapore, Sri Lanka, Sweden, Turkey, Ukraine, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland, and from the Council of Europe, the International Atomic Energy Agency (IAEA), the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the Organization of American States (OAS), the South Asian Association for Regional Cooperation (SAARC), the United Nations Educational, Scientific and Cultural Organization (UNESCO), as well as from the Office for Drug Control and Crime Prevention of the United Nations Secretariat.

5. Sections II, III and IV of the present report contain information about measures taken at the national and international levels, based on materials transmitted by Governments and the international organizations and other bodies mentioned in paragraph 4 above. Section V deals with the matter of publishing a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations.

6. With respect to subparagraph 10(c) of the Declaration, the present report does not contain an analytical review of existing international legal instruments relating to international terrorism, since such a review was included in the report of the Secretary-General submitted to the fifty-first session of the General Assembly (A/51/336, paras. 6-36). Several suggestions for possible further action contained in that review are being acted upon through the implementation of General Assembly resolution 51/210 of 17 December 1996, as discussed in section III.B below.

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism and information on incidents caused by international terrorism

A. Information received from Member States*

7. **Austria** provided information on the status and implementation of multilateral, regional and bilateral agreements relating to international terrorism.[2] It indicated that its criminal law does not define terrorism or provide for specific provisions relating to terrorism and that terrorist acts are subject to the general provisions of criminal law. In addition, it also provided information on the provisions of its Criminal Code and its Code of Criminal Procedure relevant for the prosecution of terrorist acts.[3] Austria further reported on the following terrorist incidents that had occurred during 1999:

(a) The occupation of the Greek Embassy in Vienna by 42 PKK sympathizers; occupation of the Embassy of Kenya in Vienna by 24 PKK sympathizers; no physical injuries had been reported and legal proceedings were ongoing;

(b) The occupation of the Vienna International Centre by 60 PKK sympathizers; legal proceedings against one person for physical injuries were ongoing;

(c) The setting on fire by unidentified perpetrators of a housing project for *Asylants* in the 13th district in Vienna, causing little material damage; no physical injuries were reported;

(d) The setting on fire of the clubhouse of the Union of Islamic Cultural Centres of Austria in Graz, causing material damage; no physical injuries were reported.

8. **Finland** reported that its legislation contained no specific provisions regarding the suppression of terrorism and that provisions related to terrorism can be found in its Penal Code. Finland also provided information on the multilateral conventions on suppression of terrorism which it had signed or ratified[4] and indicated that it was in the process of ratifying or acceding to the International Convention for the Suppression of Terrorist Bombings, the Convention on the Marking of Plastic Explosives for the Purpose of Detection and the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf. Furthermore, in accordance with the Finnish legal system, all international agreements binding Finland are incorporated into its domestic legislation through an appropriate legislative measure.

9. **India** provided information on the multilateral conventions relating to international terrorism to which it is a party,[5] as well as on the incorporation of those instruments into its domestic legislation. In addition, India indicated that its Cabinet had decided to sign and ratify the International Convention for the Suppression of Terrorist Bombings.

10. India also stated the following:

> "Organized terrorism promoted by certain States as an instrument of policy is very different in scale, nature and consequences from actions of stray individuals and groups. A sustained campaign of terrorist violence is not possible without sanctuaries, training, financing, encouragement and assistance by States. Government patronage gives terrorist groups and individuals enormous resources and safe havens. As the object of terrorism sponsored by States is to destabilize other countries and Governments, this poses a direct threat to international peace and security.
>
> "Existing international conventions against terrorism do not adequately address the issue of State responsibility to prevent and refrain from acts of terrorism. The United Nations Security Council has adopted resolutions imposing sanctions on certain States accused of sponsoring terrorism. A legal convention adopted by the United Nations General Assembly would provide a more internationally legitimate basis for combating international terrorism and avoid controversies arising from unilateral or selective action. India has therefore proposed the adoption of a comprehensive convention against international terrorism. A draft has already been circulated. During the fifty-third session of the General Assembly,[6] the Sixth Committee also provided the legislative mandate to negotiate the proposed convention on a priority basis after conclusion on other draft conventions on specific aspects of international terrorism currently under consideration.

* Information on the participation of States in multilateral agreements relating to international terrorism is presented separately in sect. III.A.

"India has contributed to strengthening the global consensus on combating international terrorism. India is a party to major international conventions against terrorism. As a country deeply affected by the menace of terrorism, India stands ready to take all further measures necessary to strengthen international cooperation to combat this menace.

"India has also played a role in evolving a strong consensus within the Movement of Non-Aligned Countries against terrorism. The Movement unequivocally affirmed that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons, for whatever purposes, are unjustifiable. The Twelfth Summit of Heads of State or Government of the Non-Aligned Countries held at Durban in 1998 also reaffirmed that all member States have an obligation to refrain from organizing, assisting or participating in terrorist acts in the territories of other States. The Summit unequivocally condemned any political, diplomatic, moral or material support of terrorism. The Summit also called for early adoption and implementation of a comprehensive convention against international terrorism."

11. India furthermore reported as follows:

"India has suffered gravely since the mid-1980s from international terrorism sponsored, aided and abetted by a neighbouring State in flagrant violation of its international obligations under the Declaration on Measures to Eliminate International Terrorism.

"This support by the neighbouring State for terrorist acts in India has had the following elements:

- Operation of training camps for terrorists in territories under its control;
- Supply of sophisticated weapons and explosives to terrorists;
- Financing of terrorists and terrorist organizations and their terrorist activities in India, *inter alia,* through drug trafficking;
- Infiltration of terrorists, including foreign mercenaries, into India for terrorist outrages;
- Planning and organizing terrorist and bomb attacks against security forces, innocent civilians, public and private property, looting of banks, kidnapping, raping of women, etc. The principal concentration of such terrorism has been Jammu and Kashmir and Punjab. However, terrorist incidents have increasingly been mounted in the north-east and other parts of India;
- Terrorist bombings in crowded metropolitan areas, resulting in extensive loss of lives;
- Assassination of prominent public personalities;
- Hijacking of aircraft;

"The enclosed tables[7] indicate the massive scale of the cross-border terrorism promoted in India by this neighbouring State. The loss of life and prosperity and the drainage of resources have been tremendous. It is inconceivable that terrorism of such scale and magnitude can be sustained over such a large period of time without state sponsorship from across the border. India has irrefutable proof of such state sponsoring of terrorism against it."

12. **Indonesia** provided information concerning its national laws and regulations to ratify the following multilateral agreements related to international terrorism: Convention on Offences and Certain Other Acts Committed on Board Aircraft; Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; Convention for the Suppression of Unlawful Seizure of Aircraft; and the Convention on the Physical Protection of Nuclear Material. In addition, it provided the aforementioned Indonesian laws, in Bahasa Indonesia, including its reservations in English.

13. **Kuwait** indicated that it had taken a series of legal, practical and other measures to cooperate in the international effort to combat terrorism. In this regard, attention was drawn to the relevant international conventions to which Kuwait had acceded;[8] the inclusion in its bilateral agreements in the field of civil aviation of provisions relating to the safety of aviation; its support for international and regional efforts to counter terrorism; and its adoption of a series of practical and executive measures to protect its domestic security. As regards the last point, Kuwait noted the promulgation of Law No. 6/1994 on offences relating to the safety of aircraft and aerial navigation. Additional measures highlighted included the ongoing specialist training for those working in counter-terrorism and the ancillary security agencies, along with a campaign of advocacy and public information. Furthermore, Kuwait reported on the numerous terrorist incidents that it had confronted in recent years.

14. **Latvia** reported that, in addition to the international conventions on international terrorism to which it is a party,[9] it had concluded bilateral agreements with Austria, Hungary,

Israel and Turkey. Latvia also stated that its criminal code provides that terrorism is punishable by incarceration for a period of 8 to 20 years or by life imprisonment.

15. **Mexico** provided the texts of two bilateral agreements on recovery and return of vehicles and airplanes that have been stolen or disposed of illegally.[10] Those agreements, signed with El Salvador and Guatemala, were thought to have some indirect link with the suppression of international terrorism.

16. The **Netherlands** reported that it had not suffered any terrorist attacks during 1998. A woman arrested in Amsterdam in January 1998 for suspected involvement in terrorist activities in Italy had been extradited to Italy some weeks later.

17. **New Zealand** reported that it was a party to several multilateral anti-terrorism conventions[11] and that Parliament had enacted legislation enabling New Zealand to ratify the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf and the Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation.

18. **Oman** provided information concerning the international conventions on terrorism to which it had become a party[12] including, *inter alia*, the Gulf Cooperation Council Security Agreement and the Riyadh Agreement on judicial cooperation.

19. The **Philippines** provided information on the multilateral conventions on terrorism that it had signed or ratified.[13] In addition, the Philippines indicated that it had signed cooperation agreements on the prevention and fight against criminal activities with Thailand and with Viet Nam and that the former agreement had been ratified. Furthermore, the Philippines reported that terrorist acts are punished as common felonies under its penal legislation, although aggravating circumstances may be taken into account in the application of higher penalties. The Philippines also provided the relevant texts of its penal legislation concerning terrorism.[14]

20. The **Russian Federation** reported that it had adopted, on 25 July 1998, the Federal Anti-Terrorism Act,[15] which creates a firm legal foundation for intensifying Russian law-enforcement agencies' counter-terrorism activities both within and outside the country. The Act's principal aims are: to protect individuals, society and the State against terrorism; to prevent, detect and suppress terrorist activity and minimize its consequences; to identify the causes of terrorist activity and conditions conducive to it. The Act contains extensive provisions defining the main terms of relevance ("terrorism", "terrorist activity", "offences of a terrorist nature", "terrorist group", "terrorist organization", etc.), the competence and coordination of the efforts of the Russian Federation's law-enforcement agencies and special services in the fight against terrorism, the general ways and means of conducting counter-terrorism operations, compensation for damage caused by terrorist activity, and social rehabilitation of victims of terrorist acts. With the adoption of the Act, Russian law now contains its first rules on the recognition of organizations as terrorist organizations and on the sanctions applicable against such entities (abolition on the basis of a judicial decision, prohibition of the activity within the Russian Federation of branches or representatives of foreign organizations recognized as terrorist organizations and confiscation for the benefit of the State of such organizations' funds or property).

21. In addition, the Russian Federation indicated that a Government Decision of 6 November 1998 had established the Federal Anti-Terrorism Board. The Board comprises senior officials from relevant government agencies and its principal tasks are to devise a uniform policy for combating terrorism within the country and to coordinate the activities of the various State agencies. Similar bodies were being established in the constituent entities of the Russian Federation.

22. As regards international conventions on terrorism, the Russian Federation continues to work on the ratification of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. It was also reported that resolution in practical terms of issues connected with accession to the Convention on the Marking of Plastic Explosives for the Purpose of Detection was in hand.

23. At the regional level, the Russian Federation reported that a variety of measures for combating terrorism are being implemented within the framework of the Commonwealth of Independent States (CIS), the Black Sea Economic Cooperation and the Council of Europe.

24. In particular, on 4 June 1999, CIS countries (Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation and Tajikistan) signed the Treaty on Cooperation between CIS States in Combating Terrorism. This represents an important step forward in consolidating the basis in international law for cooperation between CIS law-enforcement agencies in combating

terrorism. The Treaty enables such agencies to act jointly in developing measures for preventing, detecting and investigating acts of terrorism and, when necessary, to combine the efforts of their special units for the conduct of counter-terrorism operations.

25. On 2 October 1998, the Russian Federation signed the Agreement between Governments of the States Members of the Black Sea Economic Cooperation on Fighting Crime, particularly in its Organized Forms, including Terrorism. On 10 February 1999, the Agreement entered into force for the Russian Federation.

26. On 7 May 1999, the Russian Federation signed the European Convention on the Suppression of Terrorism. The process of preparing the Convention for ratification has begun.

27. Furthermore, in 1998-1999, the Russian Federation concluded agreements on cooperation in crime-fighting with Norway, Spain and the Federal Republic of Germany. These agreements contain provisions concerning the coordination of bilateral anti-terrorism efforts.

28. **Singapore** indicated the international conventions regarding international terrorism to which it was a party[16] and noted that it was a signatory to the 1993 Association of South-East Asian Nations Joint Communiqué on International Terrorism.

29. Singapore also stated that its legislation regarding terrorism included, *inter alia*, the Arms and Explosives Act, the Arms Offences Act, the Corrosive and Explosive Substances and Offensive Weapons Act, the Undesirable Publications Act and the Extradition Act.

30. **Sri Lanka** reported on the multilateral conventions for the suppression of international terrorism to which it was a party[17] and the respective enabling legislation that it had enacted. In addition, Sri Lanka stated that it was taking the necessary steps to accede to the International Convention against the Taking of Hostages and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Furthermore, it was in the process of finalizing draft legislation on money laundering. Sri Lanka also provided the text of the Suppression of Terrorist Bombings Act, No. 11 of 1999.[18]

31. **Sweden** indicated that it had no specific legislation for the prevention and suppression of terrorism or specific criminal legislation against terrorist acts and that, consequently, criminal law in general was applicable to terrorist acts. Individual acts of violence, murder, sabotage, damage, etc., usually connected with terrorism are crimes liable for prosecution and punishment in accordance with Swedish criminal law. Sweden also noted that the ratification process of the International Convention for the Suppression of Terrorist Bombings had been initiated. Moreover, Sweden submitted an unofficial translation of the 1991 Act concerning Special Controls in Respect of Aliens,[19] which it considered relevant.

32. **Turkey** provided data on criminal prosecutions and sentencing carried out in connection with acts of terrorism.[20]

33. **Ukraine** provided information on the status and implementation of multilateral and bilateral treaties relating to international terrorism to which it was a party,[21] as well as extracts from its criminal code regarding the prevention and suppression of terrorism.

34. The **United Arab Emirates** indicated that it was a party to several multilateral conventions[22] as well as the Gulf Cooperation Council Security Agreement and the Riyadh Agreement on judicial cooperation. In addition, it stated that, as terrorism did not exist within its boundaries, there were no signed decrees or national laws and regulations in practice. The United Arab Emirates also reported that it had ratified the Arab Convention on the Suppression of Terrorism.

35. The **United Kingdom** provided information on its counter-terrorism legislation, which indicated that the current legislative framework on the topic was principally contained in the Prevention of Terrorism (Temporary Provisions) Act 1989, the Northern Ireland (Emergency Provisions) Act 1996 and the Criminal Justice (Terrorism and Conspiracy) Act 1998.[23] It was noted that a Bill to provide for permanent, United Kingdom-wide legislation would be introduced as soon as an opportunity arose. Information concerning the proposals and steps taken towards attaining that objective was also provided.[24]

B. Information received from international organizations

36. The **Council of Europe** supplied information concerning the current state of signatures and ratifications of the European Convention on the Suppression of Terrorism, the text of the Convention[25] and the full text of the reservations and/or declarations made by parties to the Convention. The Council also provided information regarding the ad hoc terms of reference for the European Committee on Crime Problems which include, *inter alia*, developing an effective mechanism designed to facilitate the friendly settlement of any difficulty, including conflicts of jurisdiction, which may arise out of the application of any

Council of Europe Convention in criminal matters, in particular the European Convention on Extradition and the European Convention on the Suppression of Terrorism; and examining the possibility of resuming consideration of the draft European Comprehensive Convention on International Cooperation in Criminal Matters.

37. The **International Atomic Energy Agency** reported that the Convention on the Physical Protection of Nuclear Material had a twofold objective: to establish levels of physical protection of nuclear material used for peaceful purposes while in international nuclear transport and to provide for measures against unlawful acts (e.g., the requirements that relate to making specified acts criminal offences under national law, to establishing jurisdiction over those offences and to prosecuting or extraditing alleged offenders) with respect to such material while in international transport as well as in domestic use, storage and transport. As regards the latter, it was noted that States parties to the Convention are obliged to make punishable under their national law the international commission of offences with respect to nuclear material as listed in its article 7. The Convention also contains rules on jurisdiction and extradition.

38. IAEA indicated that, in response to the request of some States parties to the above-mentioned Convention to hold an expert meeting to discuss whether there was a need for a revision of the instrument, the Director General of IAEA had decided to convene an informal open-ended expert meeting to be held at IAEA headquarters in Vienna from 15 to 19 November 1999.

39. With regard to the draft international convention for the suppression of acts of nuclear terrorism, IAEA had, by invitation, assisted the Ad Hoc Committee established by General Assembly resolution 51/210 in its deliberations on the draft convention and had contributed by providing information (A/C.6/53/WG.1/INF.2) on the Agency's relevant responsibilities and activities.

40. Regarding incidents caused by international terrorism, IAEA reported that it had not received any direct information. However, as part of IAEA Programme M2.02 on "Security of Material", the Agency had been asked by several countries to analyse nuclear material that had been seized by national authorities. The material had been involved in illicit nuclear material trafficking incidents which had involved criminal investigation and prosecution.

41. IAEA also indicated that it continued to carry out a number of activities in support of the efforts of its member States to prevent and respond to illicit trafficking in nuclear materials and other radioactive sources. Those activities involved the Illicit Trafficking database programme (see para. 42), guidance, training,[26] technical support services and information exchange.

42. The Agency's illicit trafficking database programme for incidents involving nuclear materials and other radioactive sources dates from August 1995, when the IAEA Secretariat invited Governments to participate in its database programme and to identify points of contact for that purpose. Sixty States have participated in the database programme. As of 1 June 1999, the database contained information on 254 trafficking incidents involving nuclear material and other radioactive sources that had been confirmed by States.

43. With regard to the physical protection of nuclear materials, IAEA indicated that it had worked together with its member States in developing a set of international recommendations for protection against the theft or other unauthorized removal of nuclear materials and against the sabotage of nuclear facilities.

44. IAEA also indicated that, along with 35 of its member States, in 1998, it had completed a review of document INFCIRC/225/Rev.3, entitled "The Physical Protection of Nuclear Material". The revised document reflects the recommendations of the national experts to improve the structure and clarity of the document and to take account of improved technology and current international and national practices. In particular, a chapter has been added to provide specific recommendations related to sabotage of nuclear facilities and nuclear material. The document was published in 1999 as INFCIRC/225/Rev.4, "The Physical Protection of Nuclear Material and Nuclear Facilities".

45. Furthermore, the Agency has published International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources, covering protection against the risk associated with exposure to ionizing radiation as well as the safety and the security of radiation sources while providing the technical foundations for Safety Guides that serve as a direct source for national legislation.

46. IAEA also reported that it was preparing a Safety Guide on the detection of and responses to illicit trafficking in radioactive materials, to be jointly supported by the World Customs Organization and the International Criminal Police Organization — Interpol.

47. As part of an evaluation of the effectiveness of border monitoring systems for detection of radioactive materials of various types, IAEA, together with the Austrian and Hungarian customs authorities, was organizing a large-scale study for the testing and possible development and/or

optimization of border monitoring systems. Following laboratory evaluation, test installations of selected equipment at borders are planned to derive realistic information on performance requirements, reliability and cost-effectiveness. The study would also consider border inspection procedures. The purpose is to assist States in selecting and installing border monitoring systems.

48. As regards information exchange, IAEA reported that it had held an International Conference on Physical Protection of Nuclear Materials: Experience in Regulation, Implementation and Operation at Vienna from 10 to 14 November 1997. The proceedings of the Conference were published in June 1998. Furthermore, the Agency had also held the International Conference on the Safety of Radiation Sources and the Security of Radioactive Materials in Lyon, France, in September 1998. The Conference, was co-sponsored by the European Commission, the World Customs Organization and Interpol and covered, *inter alia*, administrative, technical and managerial measures to prevent the theft and unauthorized use of radioactive materials.

49. IAEA also indicated that it acts as secretariat for the Inter-Agency Coordination Committee on the Illicit Cross-Border Movement of Nuclear Material and Other Radioactive Sources. The Committee provides a forum for the exchange of information and has established working groups to assist in the coordination of existing illicit trafficking databases and improvement of the coordination of the training efforts of the various organizations and to assist in the development of a severity scale to describe the potential risk of these illicit trafficking incidents when they occur.

50. The **International Civil Aviation Organization** supplied information on the status of conventions on terrorism deposited with it.[27] The 32nd session of the ICAO Assembly adopted two resolutions relating to aviation security. Resolution A32-22 reaffirmed that the threat of terrorist acts, including acts aimed at the destruction of aircraft, have a serious adverse effect on the safety, efficiency and regularity of international civil aviation and endanger the lives of aircraft passengers and crews. Resolution A32-23 requested all Contracting States to implement responsible export control policies in order to reduce the threat posed to civil aviation by terrorists and other unauthorized use of man-portable air defence systems. ICAO also noted that the number of incidents of unlawful interference with international civil aviation was declining in the 1990s as compared with the 1980s. In this respect, the ICAO Council at the 2nd meeting of its 156th session, on 22 February 1999, noted that concerned States had officially reported six acts of unlawful interference that had occurred in 1998. In addition, ICAO as well as other international organizations were aware of 11 other incidents that had occurred during the same reporting period.

51. As regards the International Convention for the Suppression of Terrorist Bombings, ICAO transmitted a paper[28] containing an analysis of the convention and a comparison of the convention and the ICAO aviation security instruments. The paper's conclusions indicated that there was no conflict between the provisions of the Convention and those of the aviation security arrangements, and that they serve as a useful compliment to each other. The ICAO Council requested the Secretary-General to continue to monitor the activities of the United Nations in the area of measures to eliminate international terrorism so that the Organization might contribute its views in respect of any further legal developments.

52. The **International Maritime Organization** supplied information on the status of relevant multilateral agreements deposited with it.[29]

53. The **Organization of American States** recalled that in 1996 its member States had adopted the Declaration and Plan of Action of Lima to Prevent, Combat and Eliminate Terrorism. In addition, at the Second Inter-American Specialized Conference on Terrorism, held at Mar del Plata on 23 and 24 November 1998, member States had adopted the Commitment of Mar del Plata whereby they recommended the establishment of an institutional framework for the development of cooperation among nations to prevent, combat and eliminate terrorist acts and activities. In that connection, the OAS General Assembly, during its twenty-ninth regular session, had adopted resolution 1650 (XXIX-0/99), entitled "Hemispheric cooperation to prevent, combat and eliminate terrorism", the text of which reads as follows:

> "*The General Assembly*,
>
> "*Having seen* the report of the Permanent Council on hemispheric cooperation to prevent, combat and eliminate terrorism (CP/CAJP-1528/99/Rev.1), presented pursuant to resolution AG/RES. 1553 (XXVIII-0/98),
>
> "*Bearing in mind* the Declaration and the Plan of Action on Hemispheric Cooperation to Prevent, Combat and Eliminate Terrorism, adopted in Lima at the Inter-American Specialized Conference on Terrorism in 1996,
>
> "*Bearing in mind also* that, in the Plan of Action adopted at the Second Summit of the Americas, held in Santiago, Chile, the heads of State and Government

agreed to convene, within the framework of the Organization of American States, the Second Inter-American Specialized Conference on Terrorism, to evaluate progress made and define future courses of action to prevent, combat and eliminate terrorism; and

"*Considering*:

"That the General Assembly, at its twenty-eighth regular session, in resolution AG/RES.1553 (XXVIII-O/98), "Hemispheric cooperation to prevent, combat and eliminate terrorism",[30] instructed the Permanent Council to carry out the preparatory work for the Second Inter-American Specialized Conference on Terrorism, with a view to its convocation,

"That the Second Inter-American Specialized Conference on Terrorism was held in Mar del Plata, Argentina, on 23 and 24 November 1998,

"That, at that conference, the States members of the Organization of American States adopted the Commitment of Mar del Plata, through which they decided to recommend to the General Assembly, at its twenty-ninth regular session, that it, *inter alia*, establish an appropriate institutional framework, in keeping with the Charter of the Organization of American States, and

"That the Government of the United States has offered to host a meeting to constitute the 'appropriate institutional framework' referred to in the previous paragraph;

"*Resolves*:

"1. To endorse the decisions and recommendations contained in the Commitment of Mar del Plata and its three appendices adopted by the Second Inter-American Specialized Conference on Terrorism, held in Mar del Plata, Argentina, on 23 and 24 November 1998;

"2. To reiterate the relevance and importance of the Declaration and the Plan of Action on Hemispheric Cooperation to Prevent, Combat and Eliminate Terrorism, adopted in Lima in 1996 at the Inter-American Specialized Conference on Terrorism;

"3. To establish, taking into account the sovereignty of States and the principle of non-intervention, the Inter-American Committee against Terrorism (CICTE), composed of the competent national authorities of the OAS member States, the purpose of which shall be to develop cooperation to prevent, combat and eliminate terrorist acts and activities;

"4. To instruct the General Secretariat, within its sphere of competence, to appoint an 'instance' to provide technical and administrative support for CICTE activities, in keeping with resources allocated in the OAS program budget and other resources; and, in order to comply effectively with that instruction, to take into account any recommendations that CICTE might make at its first session, as well as the progress made in the process of modernization and strengthening of OAS pursuant to resolution AG/RES.1603 (XXVIII-O/98);

"5. To approve the CICTE Statute, which is attached to this resolution as an appendix;

"6. To instruct the General Secretariat to collaborate with CICTE in preparing its Rules of Procedure, which are to be adopted by CICTE itself;

"7. To request the Permanent Council to make the necessary arrangements for a meeting to establish CICTE to be held in the second half of 1999, in keeping with resources allocated in the budget programme and other resources;

"8. To thank the Government of the United States for its kind offer to host the meeting to establish CICTE, to be held in Miami, Florida, in the second half of 1999, at a date to be determined by the Permanent Council; and to accept that offer;

"9. To instruct the Permanent Council to study and adopt suitable funding mechanisms, in particular the establishment of a specific fund for implementing programmes and activities approved within the CICTE framework;

"10. To urge member States to make every effort to provide the Organization with sufficient funds to carry out the joint programmes and activities approved by CICTE;

"11. To instruct the General Secretariat to take the necessary steps to obtain from outside sources, including the permanent observers to OAS and other States and financial institutions, in particular the Inter-American Development Bank, the supplementary funds needed to ensure the success of the actions taken to combat terrorism within the CICTE framework;

"12. To recommend to the Permanent Council, in preparing its observations and recommendations to the General Assembly on the report of CICTE, in

accordance with article 91 (f) of the Charter, to refer to the required coordination of CICTE activities with those of the other OAS bodies;

"13. To urge member States that have not yet done so to pay prompt and special attention to signing, ratifying and/or acceding to, as the case may be and in accordance with their domestic legislation, the international conventions related to terrorism referred to in United Nations General Assembly resolution 51/210 and the International Convention for the Suppression of Terrorist Bombings, open for signature since 12 January 1998 at United Nations Headquarters;

"14. To instruct the Permanent Council to continue to examine the necessity and advisability of an inter-American convention on terrorism in the light of existing international instruments;

"15. To request the Permanent Council to report to the General Assembly at its thirtieth regular session on the implementation of this resolution.

"Appendix

"Draft Statute of the Inter-American Committee on Terrorism (CICTE)

"Chapter I. Nature, principles and purposes

"*Article 1*. The Inter-American Committee on Terrorism (hereinafter 'CICTE' or 'the Committee') is an entity of the Organization of American States (hereinafter 'OAS' or 'the Organization') established by the OAS General Assembly in conformity with article 53 of the Charter of the Organization, for the purpose of promoting cooperation to prevent, combat and eliminate terrorist acts and activities.

"CICTE enjoys technical autonomy in the exercise of its functions, within the limits set by the Charter of the Organization, its own Statute and Rules of Procedure, and the mandates conferred on it by the General Assembly.

"*Article 2*. CICTE shall be governed in its activities by the pertinent rules of the Organization, this Statute and its Rules of Procedure, decisions of the General Assembly and its own decisions.

"Chapter II. Composition

"*Article 3*. The Committee shall be composed of the competent national authorities of all States members of OAS.

"*Article 4*. Each of the States members of the Organization shall appoint a principal representative and such alternate representatives and advisers as it deems appropriate.

"*Article 5*. The States members of the Organization shall inform the Secretary General of OAS of the appointments referred to in article 4 of this Statute and of any change in the composition of their representation.

"*Article 6*. The Committee shall establish rules for the participation of permanent observers to the Organizations in its activities.

"Chapter III. The Secretariat

"*Article 7*. The General Secretariat shall provide support to the Committee.

"The Secretary General shall appoint an 'instance' to provide technical and administrative support to the Committee in its activities, in keeping with allocated resources approved in the budget programme of the Organization and other resources. Additional technical and administrative support within this 'instance' may be provided on a voluntary basis by member States or other sources in accordance with article 12 of this Statute.

"Within two years of the entry into force of this Statute, the Permanent Council, at the request of CICTE, shall review the nature of the technical and administrative support needed by the Committee to carry out its work.

"*Article 8*. The General Secretariat shall:

(a) Serve as secretariat during sessions of the Committee;

(b) Cooperate in preparing the reports that the Committee is to present to the General Assembly through the Permanent Council, and in any tasks that the Committee entrusts to it; and

(c) Transmit decisions of the Committee to the Governments of the States members of the Organization through their permanent missions.

"Chapter IV. Quorum and voting

"*Article 9*. A majority of the member States of the Committee shall constitute a quorum.

"*Article 10*. Each member State of the Committee shall have the right to one vote. The

Committee shall do its utmost to reach its decisions by consensus. In the absence of a consensus, the Committee shall take decisions by the vote of a simple majority of the member States present, except when a two-thirds vote is specifically required.

"*Chapter V. Budget and finances*

"*Article 11.* The Organization, within its approved program budget, shall cover the secretariat costs of the Committee. Within allocated resources approved in the programme budget, the Organization shall provide secretariat support to the annual meeting of the Committee based on the costs of staging this meeting in OAS facilities in Washington, D.C. Any incremental costs generated by staging the meeting outside Washington, D.C., would be borne by the host country.

"*Article 12.* Activities approved by the Committee for execution by the General Secretariat should primarily be funded by specific contributions from States members of the Organization, as well as from other States and international intergovernmental organizations through such appropriate mechanisms as the establishment of specific and trust funds that may be required pursuant to articles 68 and 69 of the General Standards to Govern the Operations of the General Secretariat.

"*Article 13.* Each member State shall be responsible for the costs of participation of its delegation at CICTE meetings.

"*Chapter VI. Functions*

"*Article 14.* CICTE shall perform its functions pursuant to article 91 (f) of the Charter.

"CICTE shall conduct its work on the basis of international conventions on this matter; the principles and objectives of the Declaration of Lima to Prevent, Combat and Eliminate Terrorism (hereinafter the 'Declaration of Lima') and the Plan of Action of Lima on Hemispheric Cooperation to Prevent, Combat and Eliminate Terrorism (hereinafter the 'Plan of Action of Lima'); and the Commitment of Mar del Plata.

"*Article 15.* The Committee shall have the following functions:

(a) To promote the development of inter-American cooperation to prevent, combat and eliminate terrorism;

(b) To establish a framework for technical cooperation that takes into account the suggested guidelines set forth in appendices I, II and III to the Commitment of Mar del Plata;

(c) To encourage, develop, coordinate and assess the application of the Declaration and Plan of Action of Lima, the recommendations of the Meeting of Government Experts to Examine Ways to Improve the Exchange of Information and Other Measures for Cooperation among Member States to Prevent, Combat and Eliminate Terrorism, held at the headquarters of the Organization in May 1997, and the recommendations contained in the Commitment of Mar del Plata;

(d) To provide assistance to member States requesting it, in order to prevent, combat and eliminate terrorism, while promoting, in accordance with the domestic laws of the member States, the exchange of experiences and information on the activities of persons, groups, organizations and movements linked to terrorist acts as well as with the methods, sources of finance and entities directly or indirectly protecting or supporting them, and their possible links to other crimes;

(e) To consider proposals on ways and means such as the 'Directory of Competences for the Prevention, Combating and Elimination of Terrorism', and the 'Inter-American Database on Terrorism', proposed at the Meeting of Government Experts to Examine Ways to Improve the Exchange of Information and Other Measures for Cooperation among Member States to Prevent, Combat and Eliminate Terrorism, held at OAS headquarters in May 1997;

(f) To coordinate its work with that of the Consultative Committee established by the Inter-American Convention against the Illicit Production of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, adopted at OAS headquarters on 14 November 1997, with a view to ensuring an adequate exchange of information on the issue of illicit trafficking in arms, munitions, explosives, materials or technology capable of being used to perpetrate terrorist acts or activities;

(g) To establish mechanisms of coordination with other competent international entities in the matter, with the concurrence of the competent authorities;

(h) To present to the General Assembly an annual report through the Permanent Council and such special reports as it may deem appropriate; and

(i) To carry out the mandates of the General Assembly.

"*Chapter VII. Headquarters and meetings*

"*Article 16.* The headquarters of the Committee shall be that of the General Secretariat of the Organization.

"Any State member of the Organization may invite the Committee to meet in its territory. The Committee shall decide whether to accept invitations to meet away from headquarters, and the host country shall bear any additional costs arising from meeting away from headquarters.

"*Article 17.* CICTE shall hold at least one annual session.

"*Chapter VIII. Chair and Vice-Chair*

"*Article 18.* The Committee shall have a Chair and a Vice-Chair, elected from among the member States. The corresponding duties shall be performed by the principal representatives of the member States so elected.

"Elections to these posts shall be held at each annual session of the Committee. The Chair and the Vice-Chair shall exercise their mandate until the next session of CICTE.

"*Article 19.* The Chair and the Vice-Chair shall be elected by the vote of a majority of CICTE member States present. If the voting does not produce a majority and it is necessary to take more than one ballot, those candidates receiving the least number of votes in each ballot shall be eliminated until one of the remaining candidates obtains a majority.

"The ballot shall be secret.

"*Article 20.* the Chair shall perform his or her functions in accordance with the Committee's Rules of Procedure.

"*Article 21.* In the case of the absence, incapacity or resignation of the Chair, the duties of the Chair shall be assumed by the Vice-Chair.

"If the respective national authorities for any reason decide to replace their principal representative while that person is serving as Chair or Vice-Chair of the Committee, the newly appointed official shall occupy the position until the end of the respective mandate.

"If the member State serving as Chair or Vice-Chair resigns, the Committee may hold a special election to fill the position so vacated.

"*Article 22.* The Chair may delegate to the Vice-Chair such functions as it deems appropriate, as stipulated in the Rules of Procedure.

"*Chapter IX. Statute and Rules of Procedure*

"*Article 23.* This Statute, when approved by the General Assembly, may be amended only by that body.

"*Article 24.* The Committee may propose amendments to this Statute to the General Assembly.

"*Article 25.* The Committee shall approve and amend its Rules of Procedure in conformity with this Statute, and shall notify the General Assembly in its annual report.

"*Article 26.* This Statute shall enter into force on the date of its adoption by the General Assembly.

"*Chapter X. Transitional provisions*

"*Article 27.* The General Assembly shall convene the first session of CICTE.

"*Article 28.* During its first session, CICTE shall consider its work schedule, which shall be guided by the following work proposals:

(a) To create an inter-American network for gathering and transmitting data via the competent national authorities, designed to exchange information and experiences with the activities of persons, groups, organizations and movements linked to terrorist acts as well as with the methods, sources of finance and entities directly or indirectly protecting or supporting them, and their possible links to other crimes, including the creation of an inter-American data base on terrorism issues that will be at the disposal of member States;

(b) To compile the legal and regulatory norms on preventing, combating and eliminating terrorism in force in member States;

(c) To compile the bilateral, subregional, regional or multilateral treaties and agreements signed

by member States to prevent, combat and eliminate terrorism;

(d) To study the appropriate mechanisms to ensure more effective application of international legal norms on the subject, especially the norms and provisions contemplated in the conventions against terrorism in force between States parties to those conventions;

(e) To formulate proposals designed to provide assistance to States requesting it in drafting national anti-terrorist laws;

(f) To devise mechanisms for cooperation in detecting forged identity documents;

(g) To devise mechanisms for cooperation among competent migration authorities; and

(h) To design technical cooperation programmes and activities for training staff assigned to tasks related to preventing, combating and eliminating terrorism in each of the member States that request such assistance."

54. **The South Asian Association for Regional Cooperation** provided information on the implementation of the SAARC Regional Convention on the Suppression of Terrorism.[31] In this regard, it was reported that India, Nepal, Pakistan and Sri Lanka had enacted enabling legislation to give effect to the provisions of the Convention. Bhutan and Maldives had put in place the necessary executive and legislative framework to ensure the implementation of the Convention. Bangladesh was in the process of enacting domestic legislation for the purpose. With a view to facilitating enhanced cooperation in this field, the States parties established a networking arrangement in 1992 called the SAARC Terrorist Offences Monitoring Desk, which is mandated to collate, analyse and disseminate information on terrorist incidence, tactics, strategies, etc.

55. The recent SAARC summits and meetings of the Council of Ministers have acknowledged the importance of the ongoing international efforts to combat and curb international terrorism in all its aspects and the intense cooperation of the member States in this field. At the Declaration of the Tenth SAARC Summit held at Colombo, heads of State or Government of SAARC countries

"recognized that the member States and peoples of South Asia continue to face the threat of terrorism in all its forms and manifestations and drug trafficking. They reiterated their firm commitment to combat these activities in the region. They emphasized the urgent need to complete enabling legislation in order to implement the SAARC regional conventions on Suppression of Terrorism and on Narcotic Drugs and Psychotropic Substances; urged all member States to enhance cooperation against terrorism, wherever, by whomever, against whoever it occurs and to fully observe and implement the SAARC Regional Convention on Suppression of Terrorism; affirmed that criminal acts intended to provoke a state of terror in the general public, a group of persons or particular persons, for whatever purposes, are unjustifiable in any circumstances; and recalled the adoption of the 1994 United Nations Declaration on Measures to Eliminate International Terrorism, and urged all member States to work towards its implementation. They called for international action to prevent the abuse of Refugee Conventions as well as to halt activities which help terrorist groups to collect funds for their activities in South Asia."

56. In addition, a meeting of legal experts of SAARC countries was held at Kandy, Sri Lanka, on 17 and 18 June 1999. The meeting reviewed progress in the implementation of the SAARC Regional Convention on Suppression of Terrorism, formulated guidelines for the future meetings of liaison officers and examined the need for updating the Convention in the light of developments in the sphere of international legal initiatives on the suppression of terrorism, particularly in the context of recent multilateral instruments adopted under the auspices of the United Nations. The Association also indicated that its members were aware of the growing linkages between drug trafficking, money laundering, organized crime and terrorism. In this regard, it was noted that the SAARC Coordination Group of Drug Law Enforcement Officials, which becomes operational in 2000, is intended to monitor the implementation of the SAARC Convention on Narcotic Drugs and Psychotropic Substances and that the SAARC Drug Offences Monitoring Desk, located in Colombo, is charged with the responsibility of collating, analysing and disseminating the linkages between drug trafficking and terrorism. A separate forum was established to address all aspects of these issues: the Conference on Cooperation in Police Matters. Furthermore, the SAARC Leaders, at their 10th Summit in Colombo, noting that two conferences had been held since 1996 in this regard, called for the continued sharing of expertise with regard to the different areas of police investigation and investigation of organized crime.

57. **The United Nations Educational, Scientific and Cultural Organization** reported that, within the framework of its trans-disciplinary project "Towards a Culture of Peace", it had undertaken a series of national programmes

to eradicate the culture of violence and to promote reconciliation. In that connection, a variety of activities and training courses had addressed issues, especially through education and communication, which could reduce the motivation for terrorism. Other activities involving education for peace, human rights, democracy and international understanding, as well as the follow-up programme to the United Nations Year for Tolerance (1995), are aimed at contributing to the progressive elimination of causes of international terrorism. Additionally, a special Web site, *Manifesto 2000*, aimed at advancing a global movement for a culture of peace, has been created. UNESCO has prepared for publication a summary of documents relative to the above-mentioned project, including statements denouncing violence and appealing for tolerance and a culture of peace.

III. International legal instruments related to the prevention and suppression of international terrorism

A. Status of international conventions pertaining to international terrorism

58. Currently, there are 15 global or regional treaties pertaining to the subject of international terrorism. Each instrument listed below is represented by the letter shown on the left, which is featured in the tables that follow to reflect the status of that instrument:

A. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963 (entered into force on 4 December 1969): status as at 27 May 1999;

B. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 (entered into force on 14 October 1971): status as at 27 May 1999;

C. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 (entered into force on 26 January 1973): status as at 27 May 1999;

D. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 (entered into force on 20 February 1977): status as at 16 August 1999;

E. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979 (entered into force on 3 June 1983): status as at 16 August 1999;

F. Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980 (entered into force on 8 February 1987): status as at 1 April 1999;

G. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988 (entered into force on 6 August 1989): status as at 27 May 1999;

H. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988 (entered into force on 1 March 1992): status as at 31 March 1999;

I. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988 (entered into force on 1 March 1992): status as at 31 March 1999;

J. Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991 (entered into force on 21 June 1998): status as at 27 May 1999;

K. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997 (opened for signature on 12 January 1998 until 31 December 1999): status as at 16 August 1999;

L. Arab Convention on the Suppression of Terrorism, signed at a meeting held at the General Secretariat of the League of Arab States in Cairo from on 22 April 1998: status as at 1 October 1999;

M. European Convention on the Suppression of Terrorism, concluded at Strasbourg on 27 January 1977 (entered into force on 4 August 1978): status as at 22 March 1999;

N. OAS Convention to Prevent and Punish Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, concluded at Washington, D.C., on 2 February 1971 (entered into force on 16 October 1973): status as at 5 February 1999;

O. SAARC Regional Convention on Suppression of Terrorism, signed at Kathmandu on 4 November 1987 (entered into force on 22 August 1988): all seven States members of SAARC (Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) are parties to the Convention.

Table 1
Total participation in international conventions pertaining to international terrorism

Signature														
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
41	79	60	26	40	45[a]	69	41	39	51	46	22[b]	32	17	--
Ratification, accession or succession														
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
166	167	169	102	85	64[a]	89	39	35	47	5	10	30	13	7

[a] Includes the European Atomic Energy Community, which is not listed in table 2.
[b] Includes the Palestinian Authority.

Table 2

Status of participation in international conventions pertaining to international terrorism

	Signature															*Ratification, accession or succession*													
State	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*
Afghanistan		B								J						A	B	C												
Albania																A	B	C												
Algeria											K	L				A	B	C		E		G	H		J		L			
Andorra																														
Angola																A	B	C												
Antigua and Barbuda																A	B	C	D	E	F									
Argentina		B	C			F	G	H	I	J	K					A	B	C	D	E	F	G	H		J					
Armenia																			D		F									
Australia		B	C	D		F										A	B	C	D	E	F	G	H	I						
Austria		B	C		E	F	G	H		J	K		M			A	B	C	D	E	F	G	H	I			M			
Azerbaijan																														
Bahamas								H	I							A	B	C	D	E										
Bahrain												L				A	B	C				G			J		L			
Bangladesh																A	B	C												O
Barbados	A	B	C													A	B	C	D	E			H	I						
Belarus		B	C	D			G	H	I	J						A	B	C	D	E	F	G								
Belgium	A	B	C		E	F	G	H	I	J	K		M			A	B	C		E	F						M			
Belize										J						A	B	C				G								
Benin		B															B													
Bhutan																A	B	C	D	E										O
Bolivia					E					J						A	B	C												
Bosnia and Herzegovina																A	B	C	D	E	F	G								
Botswana			C													A	B	C												
Brazil	A	B	C			F	G	H	I	J	K					A	B	C	D		F	G							N	
Brunei Darussalam								H	I							A	B	C	D	E										
Bulgaria		B	C	D		F	G	H	I	J			M			A	B	C	D	E	F	G					M			
Burkina Faso	A															A	B	C				G								

State	Signature															Ratification, accession or succession													
	A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*
Burundi		B	C								K					A			D											
Cambodia		B														A	B	C				G								
Cameroon							G									A	B	C	D	E					J					
Canada	A	B	C	D	E	F	G	H	I	J	K					A	B	C	D	E	F	G	H	I	J					
Cape Verde																A	B	C												
Central African Republic																A	B	C				G								
Chad		B	C													A	B	C												
Chile		B			E		G	H	I	J				N		A	B	C	D	E	F	G	H	I						
China							G	H	I							A	B	C	D	E	F	G	H	I						
Colombia	A	B								J				N		A	B	C	D										N	
Comoros											K	L				A	B	C												
Congo (Republic of the)	A		C				G									A	B	C												
Cook Islands																														
Costa Rica		B	C				G	H	I	J	K			N		A	B	C	D										N	
Côte d'Ivoire							G			J	K					A	B	C		E										
Croatia																A	B	C	D		F	G								
Cuba																			D		F									
Cyprus			C								K		M			A	B	C	D	E	F							M		
Czech Republic											K		M			A	B	C	D	E	F	G			J			M		
Democratic People's Republic of Korea							G									A	B	C	D											
Democratic Republic of the Congo					E		G									A	B	C	D											
Denmark	A	B	C	D		F	G	H	I	J			M			A	B	C	D	E	F	G	H	I				M		
Djibouti												L				A	B	C												
Dominica																				E										
Dominican Republic		B	C		E	F								N		A	B	C	D										N	
Ecuador	A	B		D		F		H	I	J				N		A	B	C	D	E	F				J					
Egypt			C		E		G	H	I	J		L				A	B	C	D	E			H	I	J		L			
El Salvador		B			E									N		A	B	C	D	E		G							N	

State	Signature															Ratification, accession or succession													
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Equatorial Guinea		B														A	B	C											
Eritrea																									J				
Estonia													M			A	B	C	D		F	G			J			M		
Ethiopia		B	C				G									A	B	C											
Fiji		B	C													A	B	C				G							
Finland	A	B		D	E	F	G	H		J	K		M			A	B	C	D	E	F		H					M		
France	A	B				F	G	H	I	J	K		M			A	B	C			F	G	H	I	J			M		
Gabon		B	C		E		G			J						A	B	C	D										
Gambia		B														A	B	C					H						
Georgia																A	B	C				G							
Germany	A	B	C	D	E	F	G			J	K		M			A	B	C	D	E	F	G	H	I	J			M		
Ghana		B					G			J						A	B	C	D	E		G			J					
Greece	A	B	C		E	F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J			M		
Grenada																A	B	C		E										
Guatemala	A	B	C	D	E	F								N		A	B	C	D	E	F	G			J				N	
Guinea										J						A	B	C				G								
Guinea–Bissau										J							B	C												
Guyana																A	B	C												
Haiti			C		E	F										A	B	C	D	E										
Holy See	A																													
Honduras					E					J				N		A	B	C		E										
Hungary		B	C	D		F	G	H	I	J			M			A	B	C	D	E	F	G	H	I	J			M		
Iceland				D			G				K		M			A	B	C	D	E		G						M		
India		B	C													A	B	C	D	E		G								O
Indonesia	A	B				F	G									A	B	C			F									
Iran (Islamic Republic of)		B														A	B	C	D											
Iraq		B			E			H	I			L				A	B	C	D			G								
Ireland	A					F	G				K		M			A	B	C			F	G						M		
Israel	A	B	C		E	F	G	H	I	J	K					A	B	C	D			G								

State	Signature															Ratification, accession or succession													
	A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*
Italy	A	B	C	D	E	F	G	H	I		K		M			A	B	C	D	E	F	G	H	I				M		
Jamaica		B	C		E		G							N		A	B	C	D											
Japan	A	B			E						K					A	B	C	D	E	F	G	H	I	J					
Jordan		B	C				G	H	I	J		L				A	B	C	D	E		G			J		L			
Kazakhstan																A	B	C	D	E		G			J					
Kenya																A	B	C		E		G								
Kiribati																														
Kuwait		B					G			J		L				A	B	C	D	E		G			J					
Kyrgyzstan																														
Lao People's Democratic Republic		B	C													A	B	C												
Latvia													M			A	B	C	D			G								
Lebanon							G			J		L				A	B	C	D	E	F	G	H	I	J					
Lesotho					E											A	B	C		E										
Liberia	A				E		G	H	I								B	C	D				H	I						
Libyan Arab Jamahiriya												L				A	B	C				G					L			
Liechtenstein		B				F							M						D	E	F	G						M		
Lithuania											K		M			A	B	C			F	G			J			M		
Luxembourg		B	C		E	F	G				K		M			A	B	C		E	F							M		
Madagascar	A									J						A	B	C				G								
Malawi							G									A	B	C	D	E										
Malaysia		B					G									A	B	C												
Maldives																A	B	C	D			G			J					O
Mali										J						A	B	C		E		G								
Malta													M			A	B	C				G			J			M		
Marshall Islands							G									A	B	C				G	H	I						
Mauritania												L				A	B	C	D	E										
Mauritius					E		G			J						A	B	C		E		G								
Mexico	A	B	C				G			J				N		A	B	C	D	E	F	G	H	I	J				N	
Micronesia (Federated States of)																														

State	Signature															Ratification, accession or succession													
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Monaco											K					A	B	C			F	G			J					
Mongolia		B	C	D		F										A	B	C	D	E	F									
Morocco						F	G	H	I			L				A	B	C												
Mozambique																														
Myanmar																A	B	C				G								
Namibia																														
Nauru																A	B	C												
Nepal																A	B	C	D	E										O
Netherlands	A	B	C		E	F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J		M			
New Zealand		B	C		E		G	H	I							A	B	C	D	E										
Nicaragua			C	D						J				N		A	B	C	D									N		
Niger	A	B	C			F	G									A	B	C	D											
Nigeria	A							H	I							A	B	C												
Niue																														
Norway	A	B		D	E	F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J		M			
Oman												L				A	B	C	D	E		G	H	I						
Pakistan	A	B					G			J						A	B	C	D											O
Palau																A	B	C				G								
Panama	A	B	C		E	F					K			N		A	B	C	D	E	F	G			J	K			N	
Papua New Guinea																A	B	C												
Paraguay		B	C	D		F										A	B	C	D		F									
Peru							G			J				N		A	B	C	D		F	G			J			N		
Philippines	A	B	C		E	F	G	H	I		K					A	B	C	D	E	F									
Poland		B	C	D		F	G	H	I		K		M			A	B	C	D		F		H	I			M			
Portugal	A	B	C		E	F	G						M			A	B	C	D	E	F		H	I			M			
Qatar												L				A	B	C	D						J					
Republic of Korea	A					F	G			J						A	B	C	D	E	F	G								
Republic of Moldova													M			A	B	C	D		F	G			J					
Romania		B	C	D		F	G				K		M			A	B	C	D	E	F	G	H	I	J		M			

State	Signature															Ratification, accession or succession													
	A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*
Russian Federation		B	C	D		F	G	H	I	J	K					A	B	C	D	E	F	G								
Rwanda		B	C	D												A	B	C	D											
Saint Kitts and Nevis																				E										
Saint Lucia																A	B	C				G								
Saint Vincent and the Grenadines							G									A	B	C				G								
Samoa																A	B	C				G			J					
San Marino																														
Sao Tome and Principe																														
Saudi Arabia	A						G	H	I			L				A	B	C		E		G			J		L			
Senegal	A	B	C		E		G			J						A	B	C		E										
Seychelles								H	I							A	B	C	D				H	I						
Sierra Leone		B														A	B	C												
Singapore		B	C													A	B	C				G								
Slovakia											K		M			A	B	C	D	E	F	G			J			M		
Slovenia											K					A	B	C	D	E	F	G								
Solomon Islands																A		C												
Somalia												L																		
South Africa		B	C			F										A	B	C				G								
Spain	A	B	C			F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J	K		M		
Sri Lanka							G				K					A	B	C	D			G				K				O
Sudan												L					B	C	D	E							L			
Suriname					E											A	B	C		E										
Swaziland																														
Sweden	A	B		D	E	F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I				M		
Switzerland	A	B	C		E	F	G	H	I	J			M			A	B	C	D	E	F	G	H	I	J			M		
Syrian Arab Republic												L				A	B	C	D											
Tajikistan																A	B	C			F	G								
Thailand		B														A	B	C				G								

State	Signature															Ratification, accession or succession													
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
The former Yugoslav Republic of Macedonia											K					A	B	C	D	E	F	G			J					
Togo					E		G			J	K					A	B	C	D	E		G								
Tonga																	B	C												
Trinidad and Tobago		B	C											N		A	B	C	D	E			H	I						
Tunisia				D								L				A	B	C	D	E	F	G	H	I	J		L			
Turkey		B	C			F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J			M		
Turkmenistan											K								D	E						K				
Tuvalu																														
Uganda					E						K					A	B	C				G								
Ukraine		B	C	D			G	H	I	J						A	B	C	D	E	F		H	I	J					
United Arab Emirates							G					L				A	B	C				G			J		L			
United Kingdom of Great Britain and Northern Ireland	A	B	C	D	E	F	G	H	I	J	K		M			A	B	C	D	E	F	G	H	I	J			M		
United Republic of Tanzania																A	B	C												
United States of America	A	B	C	D	E	F	G	H	I	J	K			N		A	B	C	D	E	F	G	H	I	J				N	
Uruguay											K			N		A	B	C	D			G							N	
Uzbekistan											K					A	B	C	D	E	F	G				K				
Vanuatu																A	B	C					H	I						
Venezuela	A	B	C				G				K			N		A	B	C		E									N	
Viet Nam																A	B	C												
Yemen			C									L				A	B	C	D											
Yugoslavia	A	B	C	D	E	F	G									A	B	C	D	E	F	G								
Zambia																A	B	C							J					
Zimbabwe																A	B	C												

B. Recent developments related to General Assembly resolution 51/210 of 17 December 1996

59. By its resolution 53/108 of 8 December 1998, the General Assembly reaffirmed the mandate of the Ad Hoc Committee established by resolution 51/210. The Ad Hoc Committee held its third session[32] from 15 to 26 March 1999 to elaborate a draft international convention for the suppression of terrorist financing to supplement existing international instruments and to consider the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism. Work is expected to continue from 27 September to 8 October 1999 within the framework of a working group of the Sixth Committee.[33]

IV. Information on workshops and training courses on combating crimes connected with international terrorism

60. The **International Atomic Energy Agency** indicated that it conducts a number of training courses and workshops that fit into three general areas: physical protection of nuclear material, prevention of nuclear smuggling and state systems of accounting and control.

61. International, national and regional training courses on the physical protection of nuclear materials and facilities and/or illicit trafficking have been conducted in 1998 and 1999 and will continue to be held during 1999-2000. In particular, the fourteenth International Training Course on Physical Protection was held in 1998. A regional training course on physical protection was given for various regions and groups such as the newly independent States and countries of Eastern Europe and for Latin American countries. A workshop on physical protection and illicit trafficking for the countries of the Middle East and North Africa was held in Cyprus in 1999. In addition, national training courses and workshops are organized on such topics as: physical protection, transportation, and illicit trafficking.

62. Together with the World Customs Organization and Interpol, IAEA designed a detection and response training programme for customs and other officials. A five-day "train the trainers" course on the prevention of nuclear smuggling, jointly organized and conducted by experts from Germany, the United States, the World Customs Organization and IAEA, was held in Vienna in 1998 and was attended by officials from countries of Eastern and Central Europe. The course was scheduled to be repeated during 1999; an additional session, to be co-sponsored by IAEA and the European Union, was also to be held in 1999 for countries of the Mediterranean.

63. IAEA also reported that training to upgrade State Systems for Accounting and Control of nuclear materials (see also para. 69) was also recognized as an important element in the programme against illicit trafficking. A large number of personnel from the newly independent States as well as individuals from the Russian Federation, Latin America, Central Asia, East Asia and the Pacific and other parts of the world had participated in training courses organized and conducted by IAEA and its member States.

64. The Agency noted moreover that one of the major objectives of the physical protection activities is to convey a basic understanding of the need to protect nuclear materials and of the tools necessary for developing and operating a national physical protection system. IAEA had used funds to upgrade the physical protection systems to improve protection of high-enriched uranium stored at two research reactors in two States during 1998. Modest upgrades of physical protection systems were to be carried out at selected nuclear facilities in 1999 and subsequent years.

65. In implementing its programme for the provision of legislative assistance to member States, IAEA had emphasized the need to ensure that national legal regimes provided measures aimed at preventing illicit trafficking in nuclear materials and other radioactive sources. The programme covers: training seminars and the training of individual professionals; advice on specific national nuclear legislation (for example in connection with International Physical Protection Advisory Services missions); and the assessment of existing national nuclear legislation. Within the framework of the technical cooperation programme, IAEA assists countries of Central and Eastern Europe, the newly independent States and East Asia and the Pacific region in establishing legal frameworks that comply with the basic requirements of relevant treaties, conventions and protocols and relevant international recommendations.

66. As of January 1997, under the technical cooperation project entitled "Legislative Assistance for the Utilization of Nuclear Energy", IAEA has been supporting countries of Central and Eastern Europe and the newly independent States in their national efforts to establish, develop or review the national laws governing the safe and peaceful uses of nuclear energy and to adopt implementing legislation for the international instruments to which they have adhered. The project is being extended to 2001 to accommodate the

increased demand for legislative assistance as a result of a comprehensive review by the Governments of the countries of Central and Eastern Europe and the newly independent States of their nuclear legislation and regulations, including non-proliferation and physical protection of nuclear material and facilities. IAEA will provide for the necessary coordination and funding for the provision of expert services and training through workshops and seminars.

67. The Agency also reported that a new technical cooperation project had been initiated, entitled "Physical Protection and Security of Nuclear Materials", designed to increase the national capacity in countries of Central and Eastern Europe for the physical protection of nuclear installations and nuclear materials, as well as for the prevention of illicit trafficking in radioactive materials. The project is part of a complex of measures for safety, security, physical protection and accountancy for and control of nuclear materials. A similar project for Latin American countries had been approved for implementation and was awaiting adequate funding.

68. IAEA noted that it had established an International Physical Protection Advisory Service, through which member States can obtain advice on enhancing their national and facility-level physical protection systems.

69. Most of the newly independent States had concluded comprehensive Safeguards Agreements with IAEA. In order to meet their resulting commitments fully and in a timely manner, they had taken steps to establish State Systems for Accounting and Control (SSAC) with appropriate administrative and technical systems. A number of IAEA member States had committed resources to help those newly independent States, on a bilateral basis, to establish their SSACs, import/export control systems and systems for the physical protection of nuclear materials.

70. IAEA and several of its member States had established a Coordinated Technical Support Programme to provide coordination services and thereby avoid duplication of effort. The programmes provide detailed descriptions both of the support needed and of tasks being performed at the State and the facility level with regard to, *inter alia*, nuclear legislation, physical protection, SSACs and export/import controls. Coordinated technical support plans had been drawn up and agreed upon for Armenia, Belarus, Georgia, Kazakhstan, Latvia, Lithuania, Ukraine and Uzbekistan and were being drawn up for Azerbaijan, Estonia, Kyrgyzstan, the Republic of Moldova and Turkmenistan.

71. Each year, IAEA organizes a meeting, attended by donor and recipient State representatives, to review the focus and implementation status of the coordinated technical support activities.

72. In addition, the Agency reported that physical protection experts from newly independent States and Eastern Europe had been awarded fellowships to make scientific visits to facilities in other countries to observe the implementation of physical protection systems. IAEA was planning to grant further fellowships for scientific visits by physical protection experts.

73. The **International Civil Aviation Organization** reported that it was developing the Training Programme for Aviation Security, comprising a list of standardized training packages designed for global application. The purpose of the initiative is to provide States with the necessary training tools for developing the components of their national aviation security training programme. Furthermore, in order to meet States' training requirements and to render assistance in the area of programme formulation, topic-focused seminar/workshops have been developed and are being conducted in all ICAO regions under the Mechanism for financial, technical and material assistance to States with regard to aviation security. In addition, ICAO has established a global network of regional/subregional aviation security training centres within existing civil aviation training facilities in Amman, Brussels, Casablanca, Dakar, Kiev, Moscow, Nairobi, Penang, Port of Spain and Quito.

74. The **International Maritime Organization** indicated that it had not undertaken any initiative on the organization of workshops or training courses related to combating crimes connected with international terrorism.

75. The **United Nations Office for Drug Control and Crime Prevention** indicated that in order to review existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on the prevention of international terrorism, the Terrorism Prevention Branch of the Centre for International Crime Prevention (CICP) in Vienna, which had come into existence in mid-April 1999, had sent out a questionnaire to the institutes of the United Nations criminal justice network, as well as to other research centres. The responses received so far indicated that existing capabilities to offer workshops and training courses are *outside* the United Nations. Examples include the Naif Arab Academy for Security Services in Riyadh (which offers 11 training courses on combating terrorism) and the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy (which organizes training seminars on various aspects of crime, including extradition). Within the United Nations, UNESCO had reported that, in the framework of its trans-disciplinary

project "Towards a Culture of Peace", research activities and technical cooperation addressing the causes and current manifestations of violence and conflicts, including terrorism, are one of the main components of the programme. However, the supporting material provided by the Organization had indicated that more emphasis was placed on research than on technical cooperation and that research under the auspices of UNESCO was viewing terrorism largely in the broader context of peace and violence, with no specific focus on practical, operational aspects of combating terrorism.

76. Furthermore, the Office for Drug Control and Crime Prevention noted that the answers to the questionnaire it had received indicated that there was a lack of both research and technical cooperation capabilities within the United Nations. The new Terrorism Prevention Branch was intended to fill this void. As regards legal assistance, the Branch would work in consultation and cooperation with the United Nations Office of Legal Affairs in New York.

V. Publication of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations

77. As at 27 August 1999, the Secretary-General had received national laws and regulations regarding the prevention and suppression of international terrorism from the Governments of the following States: Algeria, Armenia, Austria, Belarus, Burkina Faso, Canada, China, Colombia, Ecuador, Fiji, Iceland, Israel, Japan, Malawi, Maldives, Mauritius, New Zealand, Norway, Philippines, Republic of Korea, Russian Federation, Sri Lanka, Sweden, Tunisia, Turkey, Ukraine and United Kingdom of Great Britain and Northern Ireland. The texts thus transmitted are available for consultation in the Codification Division of the Office of Legal Affairs.

78. In order to prepare the compendium referred to in paragraph 10 (b) of the Declaration on Measures to Eliminate International Terrorism, the Secretariat would like to renew its request to those States which have not yet done so to submit information on their national laws and regulations.

79. The Secretariat is also in the process of preparing a publication containing the texts of international instruments, both global and regional, related to the prevention and suppression of international terrorism. In this regard, the Secretariat would welcome any pertinent information which States or regional organizations might wish to make available.

Notes

[1] Note also the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, in the annex to General Assembly resolution 51/210 of 17 December 1996.

[2] See sect. III.A.

[3] The texts of the provisions of the Austrian Criminal Code are available in the Codification Division of the Office of Legal Affairs.

[4] See sect. III.A.

[5] Ibid.

[6] See General Assembly resolution 53/108.

[7] The tables are available in the Codification Division of the Office of Legal Affairs.

[8] See sect. III.A.

[9] Ibid.

[10] The texts of the two agreements are available in the Codification Division of the Office of Legal Affairs.

[11] See sect. III.A.

[12] Ibid.

[13] Ibid.

[14] The texts of the provisions of the Philippine legislation are available in the Codification Division of the Office of Legal Affairs.

[15] The text of the Federal Anti-Terrorism Act of 1998 is available in the Codification Division of the Office of Legal Affairs.

[16] See sect. III.A.

[17] Ibid.

[18] The text of the Suppression of Terrorist Bombings Act, No. 11 of 1999 is available in the Codification Division of the Office of Legal Affairs.

[19] The text of the 1991 Act concerning Special Controls in Respect of Aliens is available in the Codification Division of the Office of Legal Affairs.

[20] The data provided by Turkey are available in the Codification Division of the Office of Legal Affairs.

[21] See sect. III.A.

[22] Ibid.

[23] The text of the Criminal Justice (Terrorism and Conspiracy) Act 1998 is available in the Codification Division of the Office of Legal Affairs.

[24] The texts of the relevant documents are available in the Codification Division of the Office of Legal Affairs.

[25] European Treaty Series No. 90.

[26] See sect. IV.

[27] See sect. III.A.

[28] The text of ICAO Council working paper (C-WP) 11065 is available in the Codification Division of the Office of Legal Affairs.

[29] See sect. III.A.

[30] See A/52/304, para. 36.

[31] See sect. III.A.

[32] See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 37* (A/54/37).

[33] See General Assembly resolution 53/108.

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Measures to eliminate international terrorism

Measures to eliminate international terrorism

Report of the Secretary-General

Addendum

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism and information on incidents caused by international terrorism

A. Information received from Member States

1. **Australia** provided information on the multilateral conventions relating to international terrorism that it had signed or ratified.[1] In addition, it provided the texts of the Acts indicated below.[2]

2. Australia reported that the Crimes (Internationally Protected Persons) Act 1976 gives effect to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. Section 8 of the Act creates a series of offences against internationally protected persons, which include murder, kidnapping and attacks upon their person or liberty. An "internationally protected person" is defined in the Act and includes visiting Prime Ministers, presidents and diplomats. Additional relevant legislation is the Overseas Missions (Privileges and Immunities) (Consequential Amendments) Act 1995.

3. The Crimes (Aviation) Act 1991 gives effect to the Convention for the Suppression of Unlawful Seizure of Aircraft, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation and its supplementary Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation and the Convention on Offences and Certain Other Acts Committed on Board Aircraft. Part II of the Act creates a series of offences, including offences relating to hijacking and acts of

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violence on board aircraft, offences affecting aircraft and the safe operation of aircraft (including the destruction of aircraft with the intent to kill), offences relating to the safety of civil aviation and acts of violence at certain airports, and offences relating to federal aerodromes and air navigation facilities (which includes endangering the safety of aerodromes). Part III of the Act deals with restoring control of aircraft and dealing with offenders.

4. The Crimes (Hostages) Act 1989 gives effect to the International Convention against the Taking of Hostages.

5. The Crimes (Ships and Fixed Platforms) Act 1992 gives effect to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. Division 1, Part II, creates certain offences in relation to ships, including acts of violence and those causing death, while Part III creates a similar range of offences in relation to fixed platforms.

6. The Crimes (Biological Weapons) Act 1976 and Regulations gives effect to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction. Section 8 makes it an offence to develop, produce, stockpile or otherwise acquire or retain certain biological agents and toxins and biological weapons. Australia is actively involved in the development of a verification protocol for this convention. The Chemical Weapons (Prohibition) Act 1994 gives effect to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction.

7. The Nuclear Non-Proliferation (Safeguards) Act 1987 gives effect to the Convention on the Physical Protection of Nuclear Material and makes it an offence to steal nuclear material or to use it, or threaten to use it, to cause injury to people or damage to property. Other relevant legislation in this field is the Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, which brings into effect relevant parts of the Treaty on the Non-Proliferation of Nuclear Weapons and its Extension. Australia is actively involved in the negotiation of a draft international convention for the suppression of nuclear terrorism.

8. The Crimes (Foreign Incursions and Recruitment) Act 1978 creates offences relating to incursions into foreign States for the purposes of engaging in hostile activities, and recruitment and preparations for such incursions (subject to a number of exceptions). This Act outlaws some but not all of the conduct prohibited by the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. The Government of Australia is preparing to amend the Act to allow Australia to accede to this Convention.

9. The Public Order (Protection of Persons and Property) Act 1971 creates offences relating to assemblies at certain premises involving violence or the apprehension of violence.

10. Australia participated in the negotiation of the International Convention for the Suppression of Terrorist Bombings and is currently considering acceding to the Convention. Furthermore, Australia is actively engaged in the negotiation of a draft international convention for the suppression of the financing of terrorism.

11. **Madagascar** reported that Malagasy legislation did not deal with the subject. However, as a result of threats that had been made following the attacks in Dar es Salaam and Nairobi and the events in Kosovo and Kashmir, permanent security measures had been taken in respect of the diplomatic missions of the United States of America and the United Kingdom, which had been specifically targeted. Madascar reiterated its desire to see the establishment of a specialized anti-terrorist police force equipped with the resources needed to mount an adequate response.

12. **Slovakia** reported that, with regard to the application and implementation of the international instruments on the prevention and suppression of international terrorism, the legal system of Slovakia does not include the definition of a terrorist act which would encompass all actions referred to as acts of terrorism in the international instruments by which Slovakia is bound.[3] However, the terrorist acts are subsumed under several types of criminal offences punishable in accordance with Penal Code No. 140/1961 as amended. The elements of the crimes of terrorism, as set out in the international instruments on terrorism, are stipulated in the Penal Code of the Slovak Republic under the respective criminal offences.[4]

Notes

[1] See A/54/301, chap. III A.

[2] The texts of the relevant documents are available in the Codification Division of the Office of Legal Affairs.

[3] The annex to Slovakia's response containing the list of the international instruments referred to is available in the Codification Division of the Office of Legal Affairs.

[4] The text of the relevant provisions of the Penal code of the Slovak Republic is available in the Codification Division of the Office of Legal Affairs.